

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

WANDA WHITLOCK-KINCADE,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 4:06CV895 RWS
	)	
UNITED STATES DEPARTMENT	)	
OF DEFENSE, et al.,	)	
	)	
Defendants.	)	

**MEMORANDUM AND ORDER**

This matter is before me on Whitlock-Kindade's motion to appoint counsel [#4]. The motion will be denied.

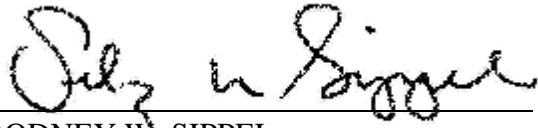
There is no constitutional or statutory right to appointed counsel in a civil case. Nelson v. Redfield Lithograph Printing, 728 F.2d 1003, 1004 (8th Cir. 1984). In determining whether to appoint counsel, the Court considers several factors including (1) whether the plaintiff has presented non-frivolous allegations supporting his prayer for relief; (2) whether the plaintiff will substantially benefit from the appointment of counsel; (3) whether there is a need to further investigate and present the facts related to the plaintiff's allegations; and (4) whether the factual and legal issues presented by the action are complex. See Battle v. Armontrout, 902 F.2d 701, 702 (8th Cir. 1990); Johnson v. Williams, 788 F.2d 1319, 1322-23 (8th Cir. 1986); Nelson, 728 F.2d at 1005.

After considering these factors, I believe that the facts and legal issues involved are not so complicated that the appointment of counsel is warranted at this time.

Accordingly,

**IT IS HEREBY ORDERED** that Whitlock-Kindade's motion to appoint counsel [#4] is  
**DENIED.**

Dated this 3rd Day of August, 2006.



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RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE